

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

FREDERICK FLUKER

PLAINTIFF

VS.

CIVIL ACTION NO. 4:07CV21WAP-DAS

MAYOR AND BOARD OF ALDERMEN
OF THE TOWN OF VAIDEN, MISSISSIPPI

DEFENDANTS

**ORDER GRANTING DEFENDANTS' MOTION TO DISMISS
FOR FAILURE TO PROSECUTE**

This matter is before the Court on the Motion to Dismiss for Failure to Prosecute filed by Defendants Mayor and Board of Aldermen of the Town of Vaiden, Mississippi. (7/18/08 Mtn. to Dismiss for Failure to Prosecute, docket no. 8). Plaintiff Frederick Fluker has filed no response opposing said Motion within the time permitted by Local Rule 7.2. The Court, having considered the Motion, and being otherwise advised in the premises, is of the opinion that it should be granted.

IT IS, THEREFORE, ORDERED that the Motion to Dismiss for Failure to Prosecute filed by Defendants Mayor and Board of Aldermen of the Town of Vaiden, Mississippi is granted.

IT IS, FURTHER, ORDERED that this Court shall enter a Final Judgment dismissing Plaintiff's action with prejudice pursuant to Fed. R. Civ. P. 41(b).

SO ORDERED, this the 14th day of August, 2008.

W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE

SUBMITTED BY:

s/Malissa Winfield

Malissa Winfield, MB #100751

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